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State of Minnesota
HOUSE OF REPRESENTATIVES

**EIGHTY-SIXTH
SESSION**

HOUSE FILE No. 52

January 12, 2009

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The bill was read for the first time and referred to the Committee on Taxes

1.1 A bill for an act
1.2 relating to local government aid; providing additional city aid base for certain
1.3 cities; increasing the limit on the city aid appropriation; requiring aid to be used
1.4 for certain purposes; amending Minnesota Statutes 2008, sections 477A.011,
1.5 subdivision 36; 477A.013, by adding a subdivision; 477A.03, subdivision 2a.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2008, section 477A.011, subdivision 36, is amended to
1.8 read:

1.9 Subd. 36. **City aid base.** (a) Except as otherwise provided in this subdivision,
1.10 "city aid base" is zero.

1.11 (b) The city aid base for any city with a population less than 500 is increased by
1.12 \$40,000 for aids payable in calendar year 1995 and thereafter, and the maximum amount
1.13 of total aid it may receive under section 477A.013, subdivision 9, paragraph (c), is also
1.14 increased by \$40,000 for aids payable in calendar year 1995 only, provided that:

1.15 (i) the average total tax capacity rate for taxes payable in 1995 exceeds 200 percent;

1.16 (ii) the city portion of the tax capacity rate exceeds 100 percent; and

1.17 (iii) its city aid base is less than \$60 per capita.

1.18 (c) The city aid base for a city is increased by \$20,000 in 1998 and thereafter and
1.19 the maximum amount of total aid it may receive under section 477A.013, subdivision 9,
1.20 paragraph (c), is also increased by \$20,000 in calendar year 1998 only, provided that:

1.21 (i) the city has a population in 1994 of 2,500 or more;

1.22 (ii) the city is located in a county, outside of the metropolitan area, which contains a
1.23 city of the first class;

1.24 (iii) the city's net tax capacity used in calculating its 1996 aid under section
1.25 477A.013 is less than \$400 per capita; and

2.1 (iv) at least four percent of the total net tax capacity, for taxes payable in 1996, of
2.2 property located in the city is classified as railroad property.

2.3 (d) The city aid base for a city is increased by \$200,000 in 1999 and thereafter and
2.4 the maximum amount of total aid it may receive under section 477A.013, subdivision 9,
2.5 paragraph (c), is also increased by \$200,000 in calendar year 1999 only, provided that:

2.6 (i) the city was incorporated as a statutory city after December 1, 1993;

2.7 (ii) its city aid base does not exceed \$5,600; and

2.8 (iii) the city had a population in 1996 of 5,000 or more.

2.9 (e) The city aid base for a city is increased by \$150,000 for aids payable in 2000 and
2.10 thereafter, and the maximum amount of total aid it may receive under section 477A.013,
2.11 subdivision 9, paragraph (c), is also increased by \$150,000 in calendar year 2000 only,
2.12 provided that:

2.13 (1) the city has a population that is greater than 1,000 and less than 2,500;

2.14 (2) its commercial and industrial percentage for aids payable in 1999 is greater
2.15 than 45 percent; and

2.16 (3) the total market value of all commercial and industrial property in the city
2.17 for assessment year 1999 is at least 15 percent less than the total market value of all
2.18 commercial and industrial property in the city for assessment year 1998.

2.19 (f) The city aid base for a city is increased by \$200,000 in 2000 and thereafter, and
2.20 the maximum amount of total aid it may receive under section 477A.013, subdivision 9,
2.21 paragraph (c), is also increased by \$200,000 in calendar year 2000 only, provided that:

2.22 (1) the city had a population in 1997 of 2,500 or more;

2.23 (2) the net tax capacity of the city used in calculating its 1999 aid under section
2.24 477A.013 is less than \$650 per capita;

2.25 (3) the pre-1940 housing percentage of the city used in calculating 1999 aid under
2.26 section 477A.013 is greater than 12 percent;

2.27 (4) the 1999 local government aid of the city under section 477A.013 is less than
2.28 20 percent of the amount that the formula aid of the city would have been if the need
2.29 increase percentage was 100 percent; and

2.30 (5) the city aid base of the city used in calculating aid under section 477A.013
2.31 is less than \$7 per capita.

2.32 (g) The city aid base for a city is increased by \$102,000 in 2000 and thereafter, and
2.33 the maximum amount of total aid it may receive under section 477A.013, subdivision 9,
2.34 paragraph (c), is also increased by \$102,000 in calendar year 2000 only, provided that:

2.35 (1) the city has a population in 1997 of 2,000 or more;

3.1 (2) the net tax capacity of the city used in calculating its 1999 aid under section
3.2 477A.013 is less than \$455 per capita;

3.3 (3) the net levy of the city used in calculating 1999 aid under section 477A.013 is
3.4 greater than \$195 per capita; and

3.5 (4) the 1999 local government aid of the city under section 477A.013 is less than
3.6 38 percent of the amount that the formula aid of the city would have been if the need
3.7 increase percentage was 100 percent.

3.8 (h) The city aid base for a city is increased by \$32,000 in 2001 and thereafter, and
3.9 the maximum amount of total aid it may receive under section 477A.013, subdivision 9,
3.10 paragraph (c), is also increased by \$32,000 in calendar year 2001 only, provided that:

3.11 (1) the city has a population in 1998 that is greater than 200 but less than 500;

3.12 (2) the city's revenue need used in calculating aids payable in 2000 was greater
3.13 than \$200 per capita;

3.14 (3) the city net tax capacity for the city used in calculating aids available in 2000
3.15 was equal to or less than \$200 per capita;

3.16 (4) the city aid base of the city used in calculating aid under section 477A.013
3.17 is less than \$65 per capita; and

3.18 (5) the city's formula aid for aids payable in 2000 was greater than zero.

3.19 (i) The city aid base for a city is increased by \$7,200 in 2001 and thereafter, and
3.20 the maximum amount of total aid it may receive under section 477A.013, subdivision 9,
3.21 paragraph (c), is also increased by \$7,200 in calendar year 2001 only, provided that:

3.22 (1) the city had a population in 1998 that is greater than 200 but less than 500;

3.23 (2) the city's commercial industrial percentage used in calculating aids payable in
3.24 2000 was less than ten percent;

3.25 (3) more than 25 percent of the city's population was 60 years old or older according
3.26 to the 1990 census;

3.27 (4) the city aid base of the city used in calculating aid under section 477A.013
3.28 is less than \$15 per capita; and

3.29 (5) the city's formula aid for aids payable in 2000 was greater than zero.

3.30 (j) The city aid base for a city is increased by \$45,000 in 2001 and thereafter and
3.31 by an additional \$50,000 in calendar years 2002 to 2011, and the maximum amount of
3.32 total aid it may receive under section 477A.013, subdivision 9, paragraph (c), is also
3.33 increased by \$45,000 in calendar year 2001 only, and by \$50,000 in calendar year 2002
3.34 only, provided that:

3.35 (1) the net tax capacity of the city used in calculating its 2000 aid under section
3.36 477A.013 is less than \$810 per capita;

- 4.1 (2) the population of the city declined more than two percent between 1988 and 1998;
- 4.2 (3) the net levy of the city used in calculating 2000 aid under section 477A.013 is
- 4.3 greater than \$240 per capita; and
- 4.4 (4) the city received less than \$36 per capita in aid under section 477A.013,
- 4.5 subdivision 9, for aids payable in 2000.
- 4.6 (k) The city aid base for a city with a population of 10,000 or more which is located
- 4.7 outside of the seven-county metropolitan area is increased in 2002 and thereafter, and the
- 4.8 maximum amount of total aid it may receive under section 477A.013, subdivision 9,
- 4.9 paragraph (b) or (c), is also increased in calendar year 2002 only, by an amount equal to
- 4.10 the lesser of:
- 4.11 (1)(i) the total population of the city, as determined by the United States Bureau of
- 4.12 the Census, in the 2000 census, (ii) minus 5,000, (iii) times 60; or
- 4.13 (2) \$2,500,000.
- 4.14 (l) The city aid base is increased by \$50,000 in 2002 and thereafter, and the
- 4.15 maximum amount of total aid it may receive under section 477A.013, subdivision 9,
- 4.16 paragraph (c), is also increased by \$50,000 in calendar year 2002 only, provided that:
- 4.17 (1) the city is located in the seven-county metropolitan area;
- 4.18 (2) its population in 2000 is between 10,000 and 20,000; and
- 4.19 (3) its commercial industrial percentage, as calculated for city aid payable in 2001,
- 4.20 was greater than 25 percent.
- 4.21 (m) The city aid base for a city is increased by \$150,000 in calendar years 2002 to
- 4.22 2011 and by an additional \$75,000 in calendar years 2009 to 2014 and the maximum
- 4.23 amount of total aid it may receive under section 477A.013, subdivision 9, paragraph (c), is
- 4.24 also increased by \$150,000 in calendar year 2002 only and by \$75,000 in calendar year
- 4.25 2009 only, provided that:
- 4.26 (1) the city had a population of at least 3,000 but no more than 4,000 in 1999;
- 4.27 (2) its home county is located within the seven-county metropolitan area;
- 4.28 (3) its pre-1940 housing percentage is less than 15 percent; and
- 4.29 (4) its city net tax capacity per capita for taxes payable in 2000 is less than \$900
- 4.30 per capita.
- 4.31 (n) The city aid base for a city is increased by \$200,000 beginning in calendar
- 4.32 year 2003 and the maximum amount of total aid it may receive under section 477A.013,
- 4.33 subdivision 9, paragraph (c), is also increased by \$200,000 in calendar year 2003 only,
- 4.34 provided that the city qualified for an increase in homestead and agricultural credit aid
- 4.35 under Laws 1995, chapter 264, article 8, section 18.

5.1 (o) The city aid base for a city is increased by \$200,000 in 2004 only and the
5.2 maximum amount of total aid it may receive under section 477A.013, subdivision 9, is
5.3 also increased by \$200,000 in calendar year 2004 only, if the city is the site of a nuclear
5.4 dry cask storage facility.

5.5 (p) The city aid base for a city is increased by \$10,000 in 2004 and thereafter and the
5.6 maximum total aid it may receive under section 477A.013, subdivision 9, is also increased
5.7 by \$10,000 in calendar year 2004 only, if the city was included in a federal major disaster
5.8 designation issued on April 1, 1998, and its pre-1940 housing stock was decreased by
5.9 more than 40 percent between 1990 and 2000.

5.10 (q) The city aid base for a city is increased by \$30,000 in 2009 and thereafter and the
5.11 maximum total aid it may receive under section 477A.013, subdivision 9, is also increased
5.12 by \$25,000 in calendar year 2006 only if the city had a population in 2003 of at least 1,000
5.13 and has a state park for which the city provides rescue services and which comprised at
5.14 least 14 percent of the total geographic area included within the city boundaries in 2000.

5.15 (r) The city aid base for a city is increased by \$80,000 in 2009 and thereafter and
5.16 the minimum and maximum amount of total aid it may receive under section 477A.013,
5.17 subdivision 9, is also increased by \$80,000 in calendar year 2009 only, if:

5.18 (1) as of May 1, 2006, at least 25 percent of the tax capacity of the city is proposed
5.19 to be placed in trust status as tax-exempt Indian land;

5.20 (2) the placement of the land is being challenged administratively or in court; and

5.21 (3) due to the challenge, the land proposed to be placed in trust is still on the tax
5.22 rolls as of May 1, 2006.

5.23 (s) The city aid base for a city is increased by \$100,000 in 2007 and thereafter and
5.24 the minimum and maximum total amount of aid it may receive under this section is also
5.25 increased in calendar year 2007 only, provided that:

5.26 (1) the city has a 2004 estimated population greater than 200 but less than 2,000;

5.27 (2) its city net tax capacity for aids payable in 2006 was less than \$300 per capita;

5.28 (3) the ratio of its pay 2005 tax levy compared to its city net tax capacity for aids
5.29 payable in 2006 was greater than 110 percent; and

5.30 (4) it is located in a county where at least 15,000 acres of land are classified as
5.31 tax-exempt Indian reservations according to the 2004 abstract of tax-exempt property.

5.32 (t) The city aid base for a city is increased by \$30,000 in 2009 only, and the
5.33 maximum total aid it may receive under section 477A.013, subdivision 9, is also increased
5.34 by \$30,000 in calendar year 2009, only if the city had a population in 2005 of less than
5.35 3,000 and the city's boundaries as of 2007 were formed by the consolidation of two cities
5.36 and one township in 2002.

6.1 (u) The city aid base for a city is increased by \$100,000 in 2009 and thereafter, and
6.2 the maximum total aid it may receive under section 477A.013, subdivision 9, is also
6.3 increased by \$100,000 in calendar year 2009 only, if the city had a city net tax capacity for
6.4 aids payable in 2007 of less than \$150 per capita and the city experienced flooding on
6.5 March 14, 2007, that resulted in evacuation of at least 40 homes.

6.6 (v) The city aid base for a city is increased by \$100,000 in 2009 to 2013, and the
6.7 maximum total aid it may receive under section 477A.013, subdivision 9, is also increased
6.8 by \$100,000 in calendar year 2009 only, if the city:

6.9 (1) is located outside of the Minneapolis-St. Paul standard metropolitan statistical
6.10 area;

6.11 (2) has a 2005 population greater than 7,000 but less than 8,000; and

6.12 (3) has a 2005 net tax capacity per capita of less than \$500.

6.13 (w) The city aid base is increased by \$25,000 in calendar years 2009 to 2013 and the
6.14 maximum amount of total aid it may receive under section 477A.013, subdivision 9, is
6.15 increased by \$25,000 in calendar year 2009 only, provided that:

6.16 (1) the city is located in the seven-county metropolitan area;

6.17 (2) its population in 2006 is less than 200; and

6.18 (3) the percentage of its housing stock built before 1940, according to the 2000
6.19 United States Census, is greater than 40 percent.

6.20 (x) The city aid base is increased by \$90,000 in calendar year 2009 only and the
6.21 minimum and maximum total amount of aid it may receive under section 477A.013,
6.22 subdivision 9, is also increased by \$90,000 in calendar year 2009 only, provided that the
6.23 city is located in the seven-county metropolitan area, has a 2006 population between 5,000
6.24 and 7,000 and has a 1997 population of over 7,000.

6.25 (y) The city aid base for a city is increased by \$..... in 2009 and thereafter and the
6.26 maximum total aid it may receive under section 477A.013, subdivision 9, is also increased
6.27 by \$..... in calendar year 2009 only, if a city had a population in 2003 of 100,000 or more
6.28 and the city net tax capacity tax rate for taxes payable in 2004 was at least 50 percent.
6.29 The increased aid received under this paragraph must be used for the purposes listed in
6.30 section 477A.013, subdivision 11.

6.31 **EFFECTIVE DATE.** This section is effective beginning with aids payable in 2009
6.32 and thereafter.

6.33 Sec. 2. Minnesota Statutes 2008, section 477A.013, is amended by adding a
6.34 subdivision to read:

7.1 Subd. 11. Use of revenues. Beginning with aids payable in 2009, any city
7.2 receiving additional aid under section 477A.011, subdivision 36, paragraph (y), must
7.3 use the additional aid it receives under that paragraph to increase spending on police
7.4 services and prosecutors in the city attorney's office above the level funded by the city in
7.5 calendar year 2008.

7.6 **EFFECTIVE DATE.** This section is effective beginning with aids payable in 2009
7.7 and thereafter.

7.8 Sec. 3. Minnesota Statutes 2008, section 477A.03, subdivision 2a, is amended to read:

7.9 Subd. 2a. **Cities.** For aids payable in 2009 and thereafter, the total aid paid
7.10 under section 477A.013, subdivision 9, is ~~\$526,148,487~~ \$....., subject to adjustment in
7.11 subdivision 5.

7.12 **EFFECTIVE DATE.** This section is effective beginning with aids payable in 2009
7.13 and thereafter.